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DATE: September 10, 2007

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FOR: Examiner Valarie E. Bertoglio

COMPANY: USPTO

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FROM: John A. Castellano

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COMMENTS:

Certificate of Facsimile Transmission

Application No.: 10/759,268

Group Art Unit: 1632

Filing Date: January 20, 2004

Examiner: Valarie E. Bertoglio

Applicant: Huai-Jen TSAI

Title: RECOMBINANT PLASMID EXPRESSING TWO FLUORESCENCE
GENES

Attorney Docket: 8964-000009/US

I hereby certify that the papers itemized below are being facsimile transmitted to the Patent and Trademark Office on September 10, 2007 to facsimile number 571-273-8300.

AMENDMENT (12 pages)
FEE TRANSMITTAL (1 page)

John A. Castellano

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FEE TRANSMITTAL for FY 2006		Complete if Known	
Effective 2/2/2006. Patent fees are subject to annual revision.		Application Number	10/759,288
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	January 20, 2004
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Huai-Jen TSAI
510		Examiner Name	Valerie E. Bertoglio
		Art Unit	1632
		Attorney Docket No.	8964-000009/US

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METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account:		Large Entity Small Entity	
Deposit Account Number: 08-0750			
Deposit Account Name: Harness, Dickey & Pierce, PLC			
The Director is authorized to: (check all that apply)			
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments			
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			
FEE CALCULATION			
1. BASIC FILING FEE			
Large Entity Small Entity			
Fee Code Fee (\$)		Fee Code Fee (\$)	
1011 300 2011 150 Utility filing fee		1051 130 2051 65 Surcharge - late filing fee or oath	
1012 200 2012 100 Design filing fee		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
1013 200 2013 100 Plant filing fee		1053 130 2053 130 Non-English specification	
1014 300 2014 150 Reissue filing fee		1812 2,520 1812 2,520 For filing a request for reexamination	
1005 200 2005 100 Provisional filing fee		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
SUBTOTAL (1) (\$)		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
0		1251 120 2251 00 Extension for reply within first month	
		1252 450 2252 225 Extension for reply within second month	
		1253 1020 2253 510 Extension for reply within third month	
		1254 1,580 2254 795 Extension for reply within fourth month	
		1255 2,180 2255 1080 Extension for reply within fifth month	
		1401 500 2401 250 Notice of Appeal	
		1402 500 2402 250 Filing a brief in support of an appeal	
		1403 1000 2403 500 Request for oral hearing	
		1432 500 2432 250 Petition to revive - unavoidable	
		1453 1500 2453 750 Petition to revive - unintentional	
		1462 400 1462 400 Petition fee under 37 CFR 1.17(f)	
		1453 200 1483 200 Petition fee under 37 CFR 1.17(g)	
		1484 130 1484 130 Petition fee under 37 CFR 1.17(h)	
		1807 50 1807 50 Processing fee under 37 CFR 1.17 (q)	
		1806 180 1806 180 Submission of Information Disclosure Stmt	
		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
		1809 790 2809 395 Filing a submission after final rejection (37 CFR § 1.128(a))	
		1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.128(b))	
		1801 790 2801 395 Request for Continued Examination (RCE)	
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	
		510	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		4. SEARCH/EXAMINATION FEES	
Total Claims: 2 -20 ** = 0 X Fee from below = 0		1111 500 2111 250 Utility Search Fee	
Independent Claims: 2 -4 ** = 0 X Fee from below = 0		1112 100 2112 50 Design Search Fee	
Multiple Dependent: _____ X Fee from below = 0		1113 300 2113 150 Plant Search Fee	
Large Entity Small Entity		1114 500 2114 250 Reissue Search Fee	
Fee Code Fee (\$)		1311 200 2311 100 Utility Examination Fee	
1202 50 2202 25 Claims in excess of 20		1312 130 2312 65 Design Examination Fee	
1201 200 2201 100 Independent claims in excess of 3		1313 160 2313 80 Plant Examination Fee	
1203 360 2203 180 Multiple dependent claim, if not paid		1314 600 2314 300 Reissue Examination Fee	
1204 200 2204 100 ** Reissue independent claims over original patent		SUBTOTAL (4) (\$)	
1205 50 2205 25 ** Reissue claims in excess of 20 and over original patent		510	
SUBTOTAL (2) (\$)			
0			

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	John A. Castaldi	Registration No. (Attorney/Agent)	25,054
Signature		Telephone	703-668-8000
		Date	September 10, 2007

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SEP 10 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Huai-Jen TSAI CONF. NO: 6868
SERIAL NO: 10/759,268 GROUP: 1632
FILED: January 20, 2004 EXAMINER: Valarie F. BERTOGLIO
FOR: RECOMBINANT PLASMID EXPRESSING TWO FLUORESCENCE GENES
DOCKET NO: 8964-000009/US

AMENDMENT

September 10, 2007

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Amendment

Dear Sir:

Responsive to the Office Action ("Action") dated March 8, 2007, the following remarks are respectfully submitted in connection with the above-referenced application. Applicant hereby requests a three-month extension of time for reply on or before September 8, 2007. It is noted that September 8, 2007 is a Saturday therefore the present response submitted on September 10, 2007 is timely under the present petition.

Amendment to the Specification begins on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 5 of this paper.

	Independent Claims	Total Claims
Claims Previously Paid For	4	20
Claims After Amendment	2	2
Excess Claims	0	0